

correct name and address at the scene of his burglary?

Obviously, LaRouche argued, if incidents of the alleged sort of fraud could be shown, that culpable action could have been taken only either by an enemy of LaRouche's political interests and personal reputation, or by a volunteer acting under the compulsion of some emotional disturbance.

The legal record does show that there were substantial irregularities in the credit-card transactions of the 1984 LaRouche campaign. However, these irregularities have been shown, by legal record, to have been caused chiefly through clerical errors by credit-card companies, or deliberate tampering with such transactions by officials and other agents of a number of banks.

The real problem of the LaRouche campaign's finances, was the massive delay in payment of campaign debts caused directly by a multimillion-dollar diversion of funds from his campaign and business interests of friends. This multimillion-dollar diversion was caused entirely by a combination of actions of bank and intelligence community officials, in-

cluding officials of the Federal Bureau of Investigation (FBI). In addition to that diversion, massive burdens have been placed upon the accused in the form of legal costs caused by a politically motivated, vindictive, and malicious prosecution by a corrupted U.S. Department of Justice.

At present, many of the debts of businesses of LaRouche's friends can never be paid, since the U.S. Justice Department has shut down those firms, and unilaterally confiscated their assets by what legal observers view as a highly illegal Chapter 7 involuntary bankruptcy proceeding initiated through the Meese Department of Justice.

The lack of any case against LaRouche or his friends generally, impelled the Justice Department to turn to the covert operations section of the CIA for assistance. A section of the CIA operationally tied to the Ted Shackley-centered CIA team behind the Contra operations, supplied Fick's perjury, without which, according to Justice Department argument, it has no case against Democratic presidential candidate LaRouche.

The 'bankruptcy' case

On Aug. 7, U.S. Bankruptcy Judge Martin van Buren Bostetter denied a motion brought by attorneys for three bankrupted "LaRouche" organizations seeking a stay of discovery against them on the grounds that the government is using the bankruptcy proceeding to get discovery of evidence for its criminal prosecutions of the bankrupt entities and individuals associated with them.

At the same time, Judge Bostetter denied a motion brought by U.S. Attorney Henry E. Hudson, which Hudson appeared personally in Bankruptcy Court to argue. Hudson was asking the Court to find the three entities—Campaigner Publications, Caucus Distributors, and the Fusion Energy Foundation—in default for failing to comply with discovery requests. Default would mean summarily declaring the three companies bankrupt, and immediate liquidation, rather than a trial of the government's involuntary bankruptcy petition. Bostetter denied Hudson's motion and set a trial date of May 4, 1988.

Following are excerpts from the "Memorandum in Support of Debtors' Motion to Stay Discovery and in Opposition to Government's Motion to Compel Discovery and for Sanctions."

1) These proceedings arise out of a massive attack, criminal and civil, against Lyndon LaRouche, and a multitude of organizations and persons allegedly affiliated with him. Broad criminal proceedings against alleged debtors and

associated individuals are not merely a speculative possibility, but a present reality. For example: all three alleged debtors herein are presently under criminal indictment—Caucus and Campaigner in federal court in Massachusetts and all three in state court in Virginia. . . .

[I]t is crucial for present purposes to note that further federal criminal proceedings are clearly contemplated in this very District. A grand jury has been convened and a wide-ranging investigation, conducted by Henry E. Hudson, the same United States Attorney who personally has represented the government in these bankruptcy proceedings, has been underway for some time and, according to Mr. Hudson, is "continuing". . . . The full scope of this investigation is not, of course, known to the alleged debtors, but it is obviously broad. The government has twice seized the records and assets of all three alleged debtors; it is not merely engaging in a casual investigation which may or may not involve them or individuals associated with them. Indeed, not only is the government indicting and actively investigating all the alleged debtors and a multitude of individuals (38 individuals presently are under indictment in various jurisdictions), but its essential theory seems to be that all organizations and individuals with a relationship to Mr. LaRouche are fungible.

2) When viewed against this background, it is inconceivable that persons with knowledge can or will respond to the discovery requests in this proceeding without exposing themselves to a very real risk of self-incrimination in connection with actual pending criminal charges or charges likely to rise out of ongoing criminal investigations. . . .